

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

MICHELE BISTANY

Plaintiff,

RELIANCE STANDARD LIFE
INSURANCE COMPANY

Reliance.

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CIVIL ACTION NO. 4:13-CV-2776

PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT

Pursuant to Rule 56 of the Federal Rules of Civil Procedure and this Court's Docket Control Order, Plaintiff Michele Bistany ("Ms. Bistany") files this Motion for Summary Judgment. The Court should enter judgment for Ms. Bistany because in this ERISA action, there is no genuine issue of fact as to whether Ms. Bistany is disabled under the terms of Defendant Reliance Standard Life Insurance Company's ("Reliance's") plan. Therefore, Reliance's decision to terminate Ms. Bistany's long term disability benefits was arbitrary and capricious. In support of this motion, Plaintiff has concurrently filed a Memorandum of Law.

Respectfully submitted:

MARC WHITEHEAD & ASSOCIATES, L.L.P.

/s/ Marc S. Whitehead

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**ATTORNEY IN CHARGE FOR PLAINTIFF,
MICHELE BISTANY**

CERTIFICATE OF SERVICE

I certify that an electronic copy of this instrument has been served on counsel of record via *ECF* on this the 30th day of June 2014, as follows:

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/s/ Marc S. Whitehead
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